

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Satendu Kumar
Case No. D2026-3595

1. The Parties

The Complainant is Instagram, LLC, United States of America ("United States"), represented by Hogan Lovells Cadwalader (Paris) LLP, France.

The Respondent is Satendu Kumar, India.

2. The Domain Name and Registrar

The disputed domain name <instaclips.online> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 12, 2026. On August 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same day, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on August 18, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. The Respondent sent several email communications to the Center on August 19, 20, and 27, 2026, and on September 17, 2026. On August 19, 2026, the Center sent the email regarding possible settlement. The Complainant confirmed it did not wish to request a suspension. On September 13, 2026, the Center commenced the panel appointment process.

The Center appointed Indrek Eelmets as the sole panelist in this matter on September 17, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant operates an online photo- and video-sharing social networking application, Instagram, which was launched in 2010 and acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. According to the Complaint, Instagram has over 3 billion monthly active accounts globally. The term “insta” commonly refers to Instagram as evidenced by different online dictionaries.

The Complainant owns numerous trademark registrations for INSTA in various jurisdictions, including:

- United States Trademark Registration No. 5,061,916 for INSTA, registered on October 18, 2016;
- European Union Trade Mark No. 014810535 for INSTA, registered on May 23, 2018; and
- Indian Trademark Registration No. 3101498 for INSTA, registered on November 19, 2015.

The disputed domain name was registered on April 23, 2026. At the time of filing the Complaint, the disputed domain name resolved to an active website titled “INSTAGRAM DOWNLOADER – 2026 EDITION”, which purported to offer a tool called “Instaclips” for downloading Instagram content, including videos, thumbnails, reels, photos, IGTV, and audio. The website also contained links to tools described as, inter alia, “Video Downloader”, “Story Downloader”, and “IGTV Downloader”. As of the date of this Decision, the disputed domain name resolves to a website displaying the text “This site is temporarily offline for maintenance. Please check back later.”

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant’s INSTA trademark since the disputed domain name contains the mark in its entirety, with the only difference being the addition of the term “clips” after the Complainant’s mark.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since the Respondent is not a licensee of, or otherwise affiliated with, the Complainant, and has not been authorized to use the Complainant’s INSTA or INSTAGRAM trademarks. The Complainant further contends that the Respondent is not commonly known by the disputed domain name and that its use of the disputed domain name for a website purporting to offer a tool for downloading content from the Complainant’s Instagram platform does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Complainant submits that the Instagram downloader tool offered through the Respondent’s website violates the Meta Developer Policies and facilitates breaches of the Instagram terms of use, as it enables users to download Instagram content beyond the functionality permitted by the Complainant and thereby interferes with the intended operation of the Instagram service.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith since the Respondent must have been aware of the Complainant and its INSTA and INSTAGRAM trademarks when registering the disputed domain name, as evidenced by the composition of the disputed domain name and the content of the Respondent’s website. The Complainant further asserts that the Respondent is using the disputed domain name to attract Internet users to its website by relying on the

goodwill associated with the Complainant's trademarks and offering a tool that enables users to download content from the Instagram platform.

B. Respondent

The Respondent did not submit a formal Response, but has indicated a willingness to cancel the disputed domain name and to take whatever steps may be required to resolve the matter in email communications filed with the Center on August 19, 20, and 27, 2026, and on September 17, 2026. The Respondent states that he is a student who created the website for learning purposes and without any commercial or malicious intent. He denies having intended to infringe the Complainant's rights or to act in bad faith. The Respondent further states that, after becoming aware of the Complainant's concerns, he took down the website and requested the Registrar to delete the disputed domain name, which, according to the Respondent, has since been cancelled and is no longer under his control. The Respondent has apologized to the Complainant, stated that he has no intention of registering a similar domain name in the future, and requested guidance to resolve the dispute.

6. Discussion and Findings

Before turning to the substantive issues, the Panel deals with the fact that the Respondent has expressed his willingness to cooperate in resolving the matter, and the Complainant has asked for a full decision on the merits.

Section 4.10 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") addresses the position where a respondent has informally consented to the transfer of the domain name in issue outside of the standard settlement process. In a number of email communications to the Center, the Respondent stated, inter alia, that he had taken down the website associated with the disputed domain name and had requested the Registrar to delete the disputed domain name. The Respondent also denied having acted with malicious or commercial intent or in bad faith. The Complainant informed the Center that it did not wish to explore settlement and requested a decision on the merits.

Section 4.10 of the [WIPO Overview 3.1](#) notes that, where a respondent has given its consent on the record to the transfer or cancellation remedy sought by the complainant, panels may order the requested remedy solely on the basis of such consent. However, a panel may in its discretion proceed to a substantive decision on the merits, including where the respondent has expressly disclaimed bad faith, where the complainant has not agreed to accept the respondent's consent and has expressed a preference for a recorded decision, or where there is ambiguity as to the scope of the respondent's consent.

In the present case, the Respondent has not unequivocally consented to the transfer of the disputed domain name to the Complainant, but has instead referred to the deletion or cancellation of the disputed domain name and has expressly denied bad faith. Moreover, the Complainant has requested a decision on the merits. In these circumstances, the Panel considers it appropriate to proceed to a substantive determination of the Complaint.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here, “clips”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. Rather, the Respondent has attempted to delete the disputed domain name upon receiving notice of the dispute. Moreover, the Respondent’s claims regarding an educational purpose are without evidence, and do not address the composition of the disputed domain name or content of the Respondent’s website.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent must have been aware of the Complainant’s INSTA trademark when he registered the disputed domain name given the trademark was registered and had become well-known internationally prior to registration of the disputed domain name. This conclusion is also supported by the fact that the disputed domain name resolved to a website that purported to offer a tool, referred to as “Instaclips”, to download content, including videos, thumbnails, reels, photos, IGTV and audio, from the Complainant’s Instagram platform.

The Panel further notes that the disputed domain name incorporates the Complainant’s trademark together with the term “clips”, which is directly related to the content made available through the Complainant’s Instagram platform. The content of the Respondent’s website made repeated and explicit references to Instagram and purported to offer functionality specifically intended for downloading content from the Complainant’s platform. In the Panel’s view, these circumstances demonstrate that the Respondent registered and used the disputed domain name specifically to target the Complainant and its trademarks.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <instaclips.online> be transferred to the Complainant.

/Indrek Eelmets/

Indrek Eelmets

Sole Panelist

Date: October 1, 2026